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Proposed programme budget for the biennium 2008-2009*

Part III
International justice and law

Section 8
Legal affairs

(Programme 6 of the biennial programme plan and priorities for the period 2008-2009)**

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* A summary of the approved programme budget will subsequently be issued as *Official Records of the General Assembly, Sixty-second Session, Supplement No. 6* (A/62/6/Add.1).

** *Official Records of the General Assembly, Sixty-first Session, Supplement No. 6* (A/61/6/Rev.1).

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Overview

8.1 The overall purpose of the programme is to promote a better understanding by Member States of and respect for the principles and norms of international law in order to support the accomplishment of the objectives of the United Nations.

8.2 The mandate for the programme derives from the principal decision-making organs of the Organization in accordance with the Charter of the United Nations and the Statute of the International Court of Justice.

8.3 Within the Secretariat, substantive responsibility for the programme is vested in the Office of Legal Affairs. It provides a unified central legal service for the Secretariat and the principal and other organs of the United Nations, supports the development of international justice, contributes to the progressive development and codification of international public and trade law, strengthening and developing the international legal order for the seas and oceans, registers and publishes treaties and performs the depositary functions of the Secretary-General.

8.4 The Office will provide services and legal advice, upon request, to the decision-making organs of the United Nations and its Member States. It will aim to strengthen respect within the United Nations system for the rule of law, in particular observance of the Charter and the resolutions, decisions, regulations, rules and treaties emanating from the Organization. The achievement of gender equality will also be addressed in the advice provided by the Office and in its activities, as appropriate.

8.5 The Office carries out its activities in cooperation with other departments and offices of the Secretariat, entities of the United Nations system and entities external to the United Nations, including treaty organizations, intergovernmental, interregional, regional and national organizations, non-governmental organizations and academic communities. Such collaboration and cooperation include the following:

(a) Coordination of interdepartmental activities, liaison with United Nations organs dealing with legal matters, offices established away from Headquarters and legal advisers or liaison officers assigned to field missions or other Secretariat units;

(b) Representation at and convening of meetings with legal advisers of the United Nations system and cooperation/coordination of institutional arrangements for the specialized agencies and related organizations on matters of common concern;

(c) Representation of the Secretary-General and the Legal Counsel at meetings and conferences convened by the United Nations or sponsored by Governments, intergovernmental organizations and other international institutions.

8.6 The issue of publications as part of the programme of work has been reviewed in the context of each subprogramme. It is anticipated that recurrent and non-recurrent publications will be issued as summarized below and as described in the output information for each subprogramme.

Table 8.1 **Summary of publications**

Publications	*2004-2005 actual*	*2006-2007 estimate*	*2008-2009 estimate*
Recurrent	211	221	173
Non-recurrent	12	21	10
Total	**223**	**242**	**183**

8.7 It is proposed to establish an Office of the Under-Secretary-General to assist the Under-Secretary-General for Legal Affairs, the Legal Counsel, in the executive direction and management of the Office of Legal Affairs. The proposed Office would undertake the coordination role for the Office of Legal Affairs and support the activities of the Legal Counsel and the coordination of activities with United Nations legal advisers. The Office of the Under-Secretary-General would be established by redeploying the post of Under-Secretary-General and the Personal Assistant (General Service (Other level)) from the Office of the Legal Counsel, a P-3 post from the Executive Office and a General Service (Other level) post from the Treaty Section. It is also proposed to establish a new post (P-5) as Special Assistant to the Legal Counsel.

8.8 Subprogramme 1 is implemented by the Office of the Legal Counsel. The Office of the Legal Counsel will continue to assist the principal and subsidiary organs of the United Nations through qualitative and timely legal advice, the preparation of reports and analysis and participation in meetings. Supporting the development of international criminal justice has been the objective in which the Office of the Legal Counsel has seen the most significant growth in its efforts. The Office helps existing and future international and internationally assisted tribunals by advising on all legal matters related to those tribunals. With the expansion of peacekeeping and peacebuilding missions, the workload in that field has expanded correspondingly in a major way. With the establishment of the Office of the Under-Secretary-General, some post and non-post resources would be redeployed to meet the operational requirements of the Office of the Under-Secretary-General.

8.9 Subprogramme 2 is managed by the General Legal Division, which provides general legal services and support to United Nations organs and programmes. The Division seeks to provide timely and effective legal advice, assistance and services to units of the Organization (e.g., Headquarters, regional commissions and other United Nations offices away from Headquarters, and peacekeeping and other missions) and of the separately funded subsidiary organs of the United Nations in order to protect the legal interests of the Organization and to prevent or minimize legal liabilities arising from the activities and operation of the Organization. Demands for legal services made upon the Division continue to increase, in particular with regard to support for peacekeeping and similar missions of the Organization, support for internal investigations and for the development and implementation of reform policies. Finally, in response to recommendations made by both internal and external auditors, the Division will continue to work to improve the Organization's procurement practices through the development and improvement of standard forms of contract and related instruments as well as reform of the policies and procedures for such procurement activities. During the biennium 2008-2009, the Division will continue to meet the demands throughout the Organization for legal advice, services and support with essentially the same resources as those made available for the biennium 2006-2007.

8.10 With respect to subprogramme 3, the Codification Division will be strengthened by the redeployment of an Editorial and Desktop Publishing Assistant (General Service (Principal level)) from the Treaty Section to assist in the electronic dissemination of *Reports of International Arbitral Awards*. There would also be a small reduction of $18,000 owing to the completion of digitizing activities in the Codification Division and progress in the conversion of publications into electronic versions. The Division continues to provide assistance to a number of bodies involved in the progressive development of international law and its codification, to manage the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and to prepare several major recurrent and other legal publications. The Division will also aim at phased implementation of the computerization of these publications as part of the information management project.

8.11 For subprogramme 4, implemented by the Division for Ocean Affairs and the Law of the Sea, an increase of $7,000 is proposed, mainly for the replacement of office automation equipment. During the biennium 2008-2009, increased activities in terms of assistance requested by coastal States are expected in connection with the approaching deadline for the presentation of their submissions to the Commission on the Limits of the Continental Shelf, as well as with respect to identifying issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. Furthermore, the Division will be responding to requirements for additional servicing and follow-up of the consultative process on oceans and the law of the sea, particularly in view of the enhanced cooperation with funds, programmes and agencies of the United Nations system, and with respect to the expanded agenda of the Meeting of States Parties to the United Nations Convention on the Law of the Sea. In response to the request from the General Assembly, the Division will strengthen and broaden the existing capacity-building activities. It will also continue to provide advisory services on the implications of the provisions of the Convention for existing and proposed legal instruments and contribute to and participate in the activities and meetings of intergovernmental bodies and non-governmental organizations, in particular in relation to chapter 17 of Agenda 21, as well as in the anticipated mechanisms for inter-agency cooperation.

8.12 With respect to subprogramme 5, the Division will continue to provide substantive services to the United Nations Commission on International Trade Law (UNCITRAL) and its working groups with a view to expanding the body of uniform legal standards for worldwide use and to preparing the future legislative work programme of UNCITRAL with essentially the same resources as those made available for the biennium 2006-2007. Strengthened coordination between international organizations active in the field of international trade law will also be sought, consistent with the mandate of UNCITRAL as the core legal body in the United Nations system in the field of international trade law.

8.13 With regard to subprogramme 6, the Treaty Section is undergoing further refinements to its database, data-processing systems and the United Nations Treaty Collection on the Internet. These refinements will further automate functions in the production of various outputs, e.g., depositary notifications, dissemination of depositary notifications electronically, establishment of a data warehouse for analysis and reporting purposes, improvements to the updating of the publication *Multilateral Treaties Deposited with the Secretary-General*, and web publishing. In this regard, the Treaty Section will be able to publish treaties and related actions on the Internet almost immediately following the registration of such treaties and actions with the Secretariat. The Section will thus be able to meet its publication mandate in a timely fashion without having to postpone publication owing to missing translations. Furthermore, the Section will continue to focus on reducing the production turnaround time in the publication of the hard-copy version of the United Nations *Treaty Series*. The resource requirements for the Section for the biennium 2008-2009 reflect a decrease of $770,300. In view of the rationalized workload, it is proposed to redeploy a P-4 post from the Treaty Section for an Administrative Officer in the Executive Office and to redeploy a P-3 post from the Executive Office to the Treaty Section for an Information Technology Officer to support its desktop and web publishing activities and assist in data analysis and programming. It is also proposed to redeploy the post of Editorial and Desktop Publishing Assistant (General Service (Principal level)) to the Codification Division to assist in the electronic dissemination of the *Reports of International Arbitral Awards*. In addition, a General Service (Other level) post will be redeployed to the Office of the Under-Secretary-General for a Legal Assistant. The decrease in non-post resources reflects the reduction in printing and data-processing services costs and the outcome of the upgrading of work methods over successive bienniums within the Section.

8.14 The overall resources required for the biennium 2008-2009 for the Treaty Section amount to $42,227,800, before recosting, reflecting an increase of $74,800 in resources (or 0.2 per cent). The overall level of resources, as indicated in table 8.3 below, reflects, inter alia, the delayed impact of one new post (P-2) established in the biennium 2006-2007 in the General Legal Division; the proposed new P-5 post of Special Assistant to the Under-Secretary-General, redeployments between subprogrammes for the establishment of the Office of the Under-Secretary-General; and decreases in non-post requirements, as described above.

8.15 It should be recalled that in his note to the General Assembly (A/61/758), the Secretary-General submitted his comments on the recommendations contained in the report of the Redesign Panel on the United Nations system of administration of justice (A/61/205) and identified the time and resources needed to implement the Panel's recommendations. The proposed resource redeployments and growth sought in the aforementioned note by the Secretary-General have not been incorporated under the present budget section. In its resolution 61/261, the Assembly decided to establish a new, independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice, requested the Secretary-General to submit a report on resources required for the implementation of that resolution as a matter of priority at the second part of its resumed sixty-first session and to report on issues identified in the resolution regarding the establishment of the new system of administration of justice no later than the early part of the main part of its sixty-second session. Following consideration, the decisions of the Assembly on these reports and the related resource proposals would be incorporated in the budget appropriation at the time of adoption of the programme budget for the biennium 2008-2009 in December 2007.

8.16 The amount of extrabudgetary resources, estimated at $11,894,500, will be utilized for activities related to, inter alia, support for United Nations organizations, peacekeeping operations, symposiums on international trade law and assistance in the teaching, study, dissemination and wider appreciation of international law.

8.17 Pursuant to General Assembly resolution 58/269, resources identified for the conduct of monitoring and evaluation would amount to $1,096,400, of which $918,100 are from the regular budget and $178,300 are extrabudgetary.

8.18 The estimated percentage distribution of the resources of the programme in the biennium 2008-2009 is shown in table 8.2 and the distribution of resources is summarized in tables 8.3 and 8.4.

Table 8.2 **Distribution of resources by component**

(Percentage)

Component	*Regular budget*	*Extrabudgetary*
A. Policymaking organs		
1. International Law Commission	4.6	—
2. United Nations Commission on International Trade Law	1.2	—
Subtotal A	**5.8**	**—**
B. Executive direction and management	3.5	—
C. Programme of work		
1. Provision of legal services to the United Nations as a whole	8.8	38.1
2. General legal services provided to United Nations organs and programmes	14.4	51.8
3. Progressive development and codification of international law	15.1	1.6

Component	Regular budget	Extrabudgetary
4. Law of the sea and ocean affairs	18.2	7.0
5. Progressive harmonization, modernization and unification of the law of international trade	14.1	1.5
6. Custody, registration and publication of treaties	15.4	—
Subtotal C	**86.0**	**100.0**
D. Programme support	4.7	—
Total	**100.0**	**100.0**

Table 8.3 Resource requirements by component

(Thousands of United States dollars)

(1) *Regular budget*

Component	2004-2005 expenditure	2006-2007 appropriation	Resource growth		Total before recosting	Recosting	2008-2009 estimate
			Amount	Percentage			
A. Policymaking organs	2 160.1	2 424.7	—	—	2 424.7	372.5	2 797.2
B. Executive direction and management	—	—	1 462.6	—	1 462.6	80.7	1 543.3
C. Programme of work	33 914.5	37 672.9	(1 335.9)	(3.5)	36 337.0	2 036.3	38 373.3
D. Programme support	1 672.8	2 055.4	(51.9)	(2.5)	2 003.5	121.8	2 125.3
Subtotal (1)	**37 747.4**	**42 153.0**	**74.8**	**0.2**	**42 227.8**	**2 611.3**	**44 839.1**

(2) *Extrabudgetary*

	2004-2005 expenditure	2006-2007 estimate	2008-2009 estimate
Subtotal (2)	**5 038.7**	**8 532.0**	**11 894.5**
Total (1) and (2)	**42 786.1**	**50 685.0**	**56 733.6**

Table 8.4 Post requirements

Category	Established regular budget posts		Temporary posts				Total	
			Regular budget		Extrabudgetary[a]			
	2006-2007	2008-2009	2006-2007	2008-2009	2006-2007	2008-2009	2006-2007	2008-2009
Professional and above								
USG	1	1	—	—	—	—	1	1
ASG	1	1	—	—	—	—	1	1
D-2	4	4	—	—	—	—	4	4
D-1	7	7	—	—	2	2	9	9
P-5	17	18	—	—	2	5	19	23
P-4/3	39	39	—	—	6	8	45	47
P-2/1	14	14	—	—	2	2	16	16
Subtotal	**83**	**84**	**—**	**—**	**12**	**17**	**95**	**101**

Category	Established regular budget posts		Temporary posts: Regular budget		Temporary posts: Extrabudgetary[a]		Total	
	2006-2007	2008-2009	2006-2007	2008-2009	2006-2007	2008-2009	2006-2007	2008-2009
General Service								
Principal level	11	11	—	—	—	—	11	11
Other level	48	48	—	—	6	6	54	54
Subtotal	**59**	**59**	**—**	**—**	**6**	**6**	**65**	**65**
Total	**142**	**143**	**—**	**—**	**18**	**23[a]**	**160**	**166**

[a] Includes 10 posts (2 D-1, 1 P-5, 1 P-4, 1 P-3, 1 P-2, 4 General Service (Other level)) funded from support to extrabudgetary administrative structures and 13 posts (4 P-5, 5 P-4, 1 P-3, 1 P-2, 2 General Service (Other level)) from support to peacekeeping operations.

A. Policymaking organs

1. International Law Commission

Resource requirements (before recosting): $1,938,200

8.19 The International Law Commission was established by the General Assembly in its resolution 174 (II). The Commission has as its objective the promotion of the progressive development of international law and its codification. It consists of 34 members who are persons of recognized competence in international law. Unless otherwise decided by the Assembly, the Commission meets annually for one 12-week session in Geneva and reports to the Assembly, which provides guidance to the Commission on its programme of work. The Codification Division of the Office of Legal Affairs provides substantive servicing for the Commission.

Table 8.5 Resource requirements

Category	Resources (thousands of United States dollars)		Posts	
	2006-2007	2008-2009 (before recosting)	2006-2007	2008-2009
Regular budget				
Non-post	1 938.2	1 938.2	—	—
Total	**1 938.2**	**1 938.2**	**—**	**—**

8.20 The amount of $1,938,200 covers the costs of: (a) attendance by the Chairman and 33 members at the annual session in Geneva; (b) attendance by the Chairman at the regular sessions of the General Assembly during consideration of the Commission's reports; and (c) attendance by the Chairman or another representative of the Commission at the sessions of the four regional legal intergovernmental bodies (two weeks each) with which the Commission, pursuant to its statute, has established links of cooperation.

2. United Nations Commission on International Trade Law

Resource requirements (before recosting): $486,500

8.21 UNCITRAL, comprising 60 Member States, is charged by General Assembly resolution 2205 (XXI) with the improvement and harmonization of international trade law, which corresponds to subprogramme 5. The Commission carries out its tasks, with the assistance of the International Trade Law Division as its secretariat, in one annual meeting of up to four weeks' duration and in six working group meetings on specialized topics of up to a total of 12 weeks' duration per year.

Table 8.6 **Resource requirements**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Non-post	486.5	486.5	—	—
Total	**486.5**	**486.5**	—	—

8.22 The amount of $486,500 would provide for the travel of representatives, travel of staff and contractual services.

B. Executive direction and management

Resource requirements (before recosting): $1,462,600

8.23 The Under-Secretary-General for Legal Affairs, the Legal Counsel, is responsible for the overall policy direction, supervision, administration and management of the Office of Legal Affairs. He represents the Secretary-General at meetings and conferences of a legal nature and in judicial and arbitral proceedings; certifies legal instruments issued on behalf of the United Nations; convenes meetings of the legal advisers of the United Nations system and represents the United Nations at such meetings. In the exercise of his responsibilities, the Legal Counsel is assisted by the Assistant Secretary-General for Legal Affairs, who serves as Deputy to the Under-Secretary-General. The Office of the Under-Secretary-General for Legal Affairs will assist the Legal Counsel in the exercise of his responsibilities.

8.24 The Legal Counsel has, over the years, reassigned resources from ongoing mandated responsibilities in seeking professional assistance with the executive direction and management of the Office of Legal Affairs. The work of the Office has increased sharply in recent years, with the growing number of international criminal tribunals and the broad expansion of peacekeeping-related legal requests resulting from the increase in the number and size of peacekeeping operations. The capacity of the Office's units to provide resources to support the Legal Counsel has also diminished since the management requirements of the Office have grown in complexity. In addition, the participation of the Legal Counsel on the Policy Committee and the Management Committee, newly created during the previous biennium, as well as participation in meetings of the Executive Committees, requires the focus of staff reporting directly to the Legal Counsel to assist him with the preparation of necessary papers and early engagement with other departments whenever the decisions of those bodies have a legal dimension.

8.25 It is therefore proposed to establish an Office of the Under-Secretary-General to assist the Under-Secretary-General for Legal Affairs, the Legal Counsel, in the executive direction and management of the Office of Legal Affairs.

Table 8.7 **Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures**

Objective of the Organization: To ensure full implementation of legislative mandates and compliance with United Nations policies and procedures with respect to the management of the programme of work and of staff and financial resources.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Programme of work is effectively managed	(a) Timely delivery of outputs *Performance measures* 2004-2005: not available Estimate 2006-2007: not available Target 2008-2009: 96 per cent
(b) Timely recruitment and placement of staff	(b) Reduction in the average number of days a Professional post remains vacant *Performance measures* 2004-2005: 110 days Estimate 2006-2007: 120 days Target 2008-2009: 120 days
(c) Improved geographical representation and gender balance of staff	(c) (i) Increased percentage of staff recruited from unrepresented and underrepresented Member States in the Office of Legal Affairs *Performance measures* 2004-2005: 50 per cent Estimate 2006-2007: 50 per cent Target 2008-2009: 50 per cent

	(ii) Increased percentage of women at the Professional level and above for appointments of one year or more *Performance measures* 2004-2005: 41 per cent Estimate 2006-2007: 50 per cent Target 2008-2009: 50 per cent
(d) Increased timeliness of submission of documentation	(d) Increased percentage of documents submitted in accordance with the required deadline *Performance measures* 2004-2005: 83 per cent Estimate 2006-2007: 90 per cent Target 2008-2009: 90 per cent
(e) Enhanced coordination in the work of United Nations Legal Advisers and legal liaison officers of the United Nations system	(e) Number of major meetings carried out in collaboration with other legal advisers *Performance measures* 2004-2005: 3 meetings Estimate 2006-2007: 6 meetings Target 2008-2009: 8 meetings

Table 8.8 Resource requirements

	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Post	—	1 388.8	—	5
Non-post	—	123.8	—	—
Total	**—**	**1 462.6**	**—**	**5**

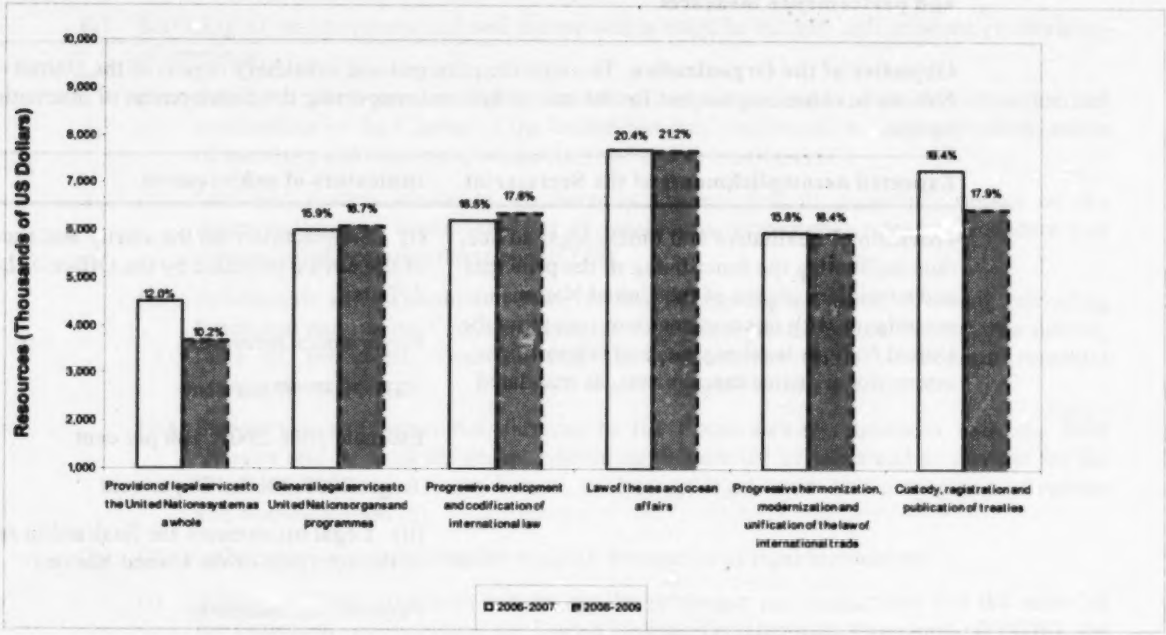
8.26 The amount of $1,462,600 reflects the requirements for the establishment of the Office of the Under-Secretary-General. The Office will be established by redeploying the post of Under-Secretary-General and the Personal Assistant (General Service (Other level)) from the Office of the Legal Counsel, a P-3 post from the Executive Office for a Legal Officer and a General Service (Other level) post from the Treaty Section for a Legal Assistant. It is also proposed to establish a new post (P-5) as Special Assistant to the Legal Counsel to assist him in the management of the Office. The non-post items ($123,800) relate to other staff costs, travel of staff, general operating expenses, hospitality and furniture and equipment, necessary for the operation of the Office.

C. Programme of work

Table 8.9 Resource requirements by subprogramme

Category	Resources (thousands of United States dollars)		Posts	
	2006-2007	2008-2009 (before recosting)	2006-2007	2008-2009
Regular budget				
1. Provision of legal services to the United Nations as a whole	4 522.9	3 697.2	15	13
2. General legal services provided to United Nations organs and programmes	5 994.2	6 095.5	21	21
3. Progressive development and codification of international law	6 219.0	6 385.0	21	22
4. Law of the sea and ocean affairs	7 698.5	7 691.5	28	28
5. Progressive harmonization, modernization and unification of the law of international trade	5 963.3	5 963.1	21	21
6. Custody, registration and publication of treaties	7 275.0	6 504.7	29	27
Subtotal	**37 672.9**	**36 337.0**	**135**	**132**
Extrabudgetary	8 532.0	11 894.5	18	23
Total	**46 204.9**	**48 231.5**	**153**	**155**

Table 8.10 **Regular budget resource requirements by subprogramme**



Subprogramme 1
Provision of legal services to the United Nations system as a whole

Resource requirements (before recosting): $3,697,200

8.27 The Office of the Legal Counsel is responsible for the implementation of the subprogramme and for the management of all legal activities under this section. In addition to the outputs listed, the Office is often called upon to present papers and to participate in meetings and conferences sponsored by United Nations organs, Governments, professional societies or international organizations on legal issues relating to the functions of the United Nations. It also provides legal expertise and resource persons to training courses sponsored by Governments or international institutions for diplomats on subjects falling within the competence of the Office of the Legal Counsel.

Table 8.11 **Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures**

Objective of the Organization: To assist the principal and subsidiary organs of the United Nations in enhancing respect for the rule of law and supporting the development of international justice.

Expected accomplishments of the Secretariat	Indicators of achievement
Provision of qualitative and timely legal advice, thus facilitating the functioning of the principal and subsidiary organs of the United Nations in accordance with international law, including the United Nations legal regime, and supporting international justice mechanisms, as mandated	(i) Satisfaction with the clarity and accuracy of the advice provided by the Office of Legal Affairs *Performance measures* 2004-2005: 99 per cent Estimate 2006-2007: 100 per cent Target 2008-2009: 100 per cent (ii) Legal instruments are finalized in respect of the activities of the United Nations *Performance measures* 2004-2005: within 4 months Estimate 2006-2007: within 3 months Target 2008-2009: within 3 months

External factors

8.28 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) Member States will strengthen respect for the rule of law and, in particular, fulfil their obligations under the international legal instruments they have concluded with the United Nations to which they are a party;

(b) The principal and subsidiary organs of the United Nations will seek to obtain legal advice, support and services concerning the adoption and implementation of their resolutions and decisions and the conduct of their work and meetings;

(c) Secretariat units will seek to obtain legal advice concerning the legal regimes required, and the legal rights and obligations of the Organization necessary to implement mandates and programmes;

(d) Intergovernmental organizations, academic institutions, non-governmental organizations and members of the general public will seek to obtain legal advice and request the participation of members of the Office of the Legal Counsel in seminars and presentations.

Outputs

8.29 During the biennium 2008-2009, the following final outputs will be delivered:

(a) Servicing of intergovernmental and expert bodies (regular budget) and substantive servicing of meetings:

(i) Advice to the General Assembly, its Main Committees, the Credentials Committee and conferences on the Charter of the United Nations, resolutions, rules of procedure, status of members and observers, credentials and representation (100);

(ii) Oral and written advice to the Security Council and its subsidiary organs on the interpretation and implementation of resolutions, provisional rules of procedure and statutes of ad hoc criminal tribunals (25);

(iii) Substantive and procedural advice to the Economic and Social Council, including functional and regional commissions, on the Charter of the United Nations, resolutions, rules of procedure, elections and the consultative status of non-governmental organizations (30);

(iv) Substantive and secretariat services to the Committee on Relations with the Host Country and its working groups, including preparation of notes and statements for the Chairman, assistance to the bureau, analysis of legal issues and preparation of reports and documentation (5);

(b) Other substantive activities (regular budget). Promotion of legal instruments:

(i) Advice on legal questions concerning the privileges and immunities and the status of the Organization, including the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA) and the United Nations Office for Project Services (UNOPS) in the territory of Member States and the relationship with States and intergovernmental organizations;

(ii) Advice on questions relating to the interpretation and application of the Charter, legal agreements, United Nations resolutions and general questions of public international law to ensure uniform and consistent practice of the law;

(iii) Advice to operationally responsible Secretariat units, offices established away from Headquarters, peacekeeping and other missions and expert groups mandated to investigate matters related to international peace and security;

(iv) Establishment of and advice on the necessary legal instruments, legal regimes and mandates for all peacekeeping operations and other missions, including status-of-forces agreements and status-of-mission agreements, agreements with contributing States and cooperation agreements with regional organizations;

(v) Formulation of statements of public international law and analysis of specific legal issues in response to inquiries from intergovernmental and regional organizations, international and academic institutions and the public;

(vi) Preparation and/or analyses of reports of a legal nature requested by the Security Council or its subsidiary organs in the field of international peace and security; liaison with the International Court of Justice; and discharging the responsibilities of the Secretary-General under the Statute of the International Court of Justice, including the preparation of legal statements and the transmission of notices relating to legal proceedings;

(vii) Negotiation of international agreements and constitutive and other instruments required for the conduct of mandates carried out by the United Nations and its subsidiary organs, including UNDP, UNICEF, UNFPA and UNOPS, with Governments and intergovernmental organizations;

(viii) Promotion of respect for Articles 104 and 105 of the Charter, the Convention on the Privileges and Immunities of the United Nations and the headquarters agreements with the United States of America and other host Governments;

(ix) Settlement of disputes of a public international law character involving the Organization, including representation of the Secretary-General at judicial proceedings, including those of the International Court of Justice;

(x) Advisory services to Governments on questions relating to international public law through the relevant subsidiary organs in accordance with existing practice;

(c) Technical cooperation (regular budget/extrabudgetary). Advisory services: assistance to States, including through the Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice, in settling their legal disputes through the International Court of Justice, including application of the Statute, and reporting to the Secretary-General and the General Assembly.

Table 8.12 **Resource requirements: subprogramme 1**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Post	4 137.5	3 405.5	15	13
Non-post	385.4	291.7	—	—
Subtotal	**4 522.9**	**3 697.2**	**15**	**13**
Extrabudgetary	2 734.7	4 528.1	5	7
Total	**7 257.6**	**8 225.3**	**20**	**20**

8.30 The amount of $3,697,200, reflecting a decrease of $825,700, provides for the continuation of 13 posts and non-post resources for consultants and experts, travel of staff, contractual services, general operating expenses and furniture and equipment. The decrease in post costs reflects the redeployment of the posts of Under-Secretary-General and the Personal Assistant (General Service (Other level)) to the newly established Office of the Under-Secretary-General ($732,000). The decrease in non-post items ($93,700) is a result of the redeployment of non-post resources to the Office of the Under-Secretary-General to meet its operational requirements.

Subprogramme 2
General legal services provided to United Nations organs and programmes

Resource requirements (before recosting): $6,095,500

8.31 The subprogramme will be implemented by the General Legal Division, which will continue to meet the demand from throughout the Organization for legal advice, services and support for the Organization's operations and activities.

Table 8.13 **Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures**

Objective of the Organization: To protect the legal interests of the Organization.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Maximization of the protection of the legal interests of the Organization	(a) The absence of instances in which, unless waived, the status and privileges and immunities of the Organization are not maintained
	Performance measures
	2004-2005: zero instances
	Estimate 2006-2007: zero instances
	Target 2008-2009: zero instances
(b) Minimization of the legal liabilities of the Organization	(b) The total amount of the Organization's legal liability is minimized compared with the total amount of claims filed against the Organization
	Performance measures
	2004-2005: 65 per cent reduction of total amounts claimed
	Estimate 2006-2007: 65 per cent reduction of total amounts claimed
	Target 2008-2009: 65 per cent reduction of total amounts claimed

External factors

8.32 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that: Member States will be supportive of the Organization and recognize its status and its privileges and immunities through their legal systems; and United Nations units will seek legal advice in a timely manner, will provide sufficient information for analysis and will be guided by the advice rendered.

Outputs

8.33 During the biennium 2008-2009, the following final outputs will be delivered: technical cooperation (regular budget/extrabudgetary): advisory services:

(a) Advice and assistance on arbitration or litigation arising out of peacekeeping and other missions, including representation of the Organization before arbitral, judicial and other quasi-judicial and administrative bodies;

(b) Advice and assistance on arbitration or litigation unrelated to peacekeeping, including representation of the Organization before arbitral, judicial and other quasi-judicial and administrative bodies;

(c) Advice and assistance on maintaining the privileges and immunities of the United Nations and its subsidiary organs before judicial, quasi-judicial and other administrative bodies;

(d) Advice on administrative policies and procedures, including formation and interpretation of regulations, rules and other administrative issuances;

(e) Advice on claims arising out of peacekeeping and other missions, including assistance in resolving contractual and real property disputes, as well as claims for property damage, personal injury and death;

(f) Advice on commercial activities unrelated to peacekeeping, including contracts and substantial procurement of goods and services, insurance, real property arrangements, intellectual property issues and procurement practices, policies and procedures;

(g) Advice on commercial and other claims unrelated to peacekeeping, including assistance in resolving contractual and real property disputes, as well as claims for property damage, personal injury and death;

(h) Advice on commercial aspects of development assistance, including goods and services, establishment of field offices and management of loans by Governments and regional, international or other financial institutions;

(i) Advice on commercial aspects of peacekeeping and other missions, including contracts and substantial procurement for logistical support, insurance, demining and similar operations, disposition of assets and air and sea charter arrangements;

(j) Advice on legal aspects of financial questions, including the formation and interpretation of the financial regulations and rules, treasury operations, banking arrangements and the operations and investments of the Joint Staff Pension Fund;

(k) Advice on legal aspects of fund-raising activities of separately funded subsidiary organs, including arrangements regarding administrative fees and direct or indirect contributions;

(l) Advice on institutional and operational arrangements for peacekeeping and other missions and for development assistance, including the formation and interpretation of agreements with Governments and international organizations concerning such arrangements;

(m) Advice on internal oversight services, including assistance in prosecuting staff and others who engage in theft, corruption or other fraudulent activities, and assistance in the recovery of assets fraudulently obtained from the Organization;

(n) Advice on legal aspects of the management of development and technical assistance, including personnel and financial arrangements, and the revision and harmonization of staff and financial regulations and rules of the separately funded subsidiary organs;

(o) Advice on personnel matters, including the formation and interpretation of the staff regulations and rules, issues of the rights and obligations of staff members, benefits and allowances, tax reimbursement and pension matters;

(p) Advice on public-private partnerships, including the development of new modalities for such partnerships and the interpretation and application of United Nations financial regulations and rules and national law requirements to such modalities;

(q) Advice on the legislative aspects of peacekeeping and other missions, such as regulations and rules and the *Field Administration Handbook*, governing staff serving in such missions;

(r) Advice on representation of the Secretary-General in cases brought under the statute of the United Nations Administrative Tribunal.

Table 8.14 Resource requirements: subprogramme 2

	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Post	5 538.5	5 639.8	21	21
Non-post	455.7	455.7	—	—
Subtotal	**5 994.2**	**6 095.5**	**21**	**21**
Extrabudgetary	4 898.3	6 157.4	13	16
Total	**10 892.5**	**12 252.9**	**34**	**37**

8.34 Resources amounting to $5,639,800 would provide for the continuation of 21 posts, including 14 in the Professional and above category, and 7 General Service posts, and reflects the delayed impact of the new P-2 post ($101,300) established in the biennium 2006-2007. The non-post resources of $455,700 include general temporary assistance, overtime, consultancy for retaining the services of counsel on issues requiring special expertise not available in the Secretariat, travel of staff, subscriptions and fees for legal database services, supplies and furniture and equipment.

Subprogramme 3
Progressive development and codification of international law

Resource requirements (before recosting): $6,385,000

8.35 The subprogramme will be implemented by the Codification Division, which will continue to provide substantive legal support to United Nations organs entrusted with the formulation of legal instruments, including the International Law Commission and the Sixth Committee of the General Assembly, as well as ad hoc committees. The subprogramme will also continue to perform the required functions related to the wider dissemination and understanding of international law.

Table 8.15 **Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures**

Objective of the Organization: To facilitate the progressive development and codification of international law.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Progress in the formulation of legal instruments	(a) (i) The level of progress achieved on instruments under preparation *Performance measures* 2004-2005: 30 per cent of instruments with moderate or higher progress Estimate 2006-2007: 33 per cent of instruments with moderate or higher progress Target 2008-2009: 33 per cent of instruments with moderate or higher progress (ii) Satisfaction of Member States with the quality of parliamentary documentation and background materials *Performance measures* 2004-2005: 4 rating (scale 1-5) Estimate 2006-2007: 4 rating (scale 1-5) Target 2008-2009: 4 rating (scale 1-5) (iii) Satisfaction of the International Law Commission with the services provided *Performance measures* 2004-2005: 5 rating (scale 1-5) Estimate 2006-2007: 5 rating (scale 1-5) Target 2008-2009: 5 rating (scale 1-5)

	(iv) Satisfaction of Member States with services provided to the Sixth Committee
	Performance measures
	2004-2005: not available
	Estimate 2006-2007: 4 rating (scale 1-5)
	Target 2008-2009: 4 rating (scale 1-5)
(b) Wider appreciation and understanding of international law	(b) (i) Satisfaction of participants with the quality of courses and seminars
	Performance measures
	2004-2005: 4 rating (scale 1-5)
	Estimate 2006-2007: 4 rating (scale 1-5)
	Target 2008-2009: 4 rating (scale 1-5)
	(ii) Satisfaction of end-users with the quality of publications issued and information electronically disseminated
	Performance measures
	2004-2005: 4 rating (scale 1-5)
	Estimate 2006-2007: 4 rating (scale 1-5)
	Target 2008-2009: 4 rating (scale 1-5)

External factors

8.36 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) Problems requiring legal regulation on the international level are universally recognized and favourable political conditions for their legal solution exist;

(b) A political environment stimulating participation of States in international legal instruments promoted under the subprogramme continues to exist;

(c) The flow of voluntary contributions by States and private institutions for granting scholarships continues; leading scholars and experts for seminars and courses planned under the subprogramme are available; Governments show readiness to host/sponsor regional seminars;

(d) There are extrabudgetary resources and/or gratis assistance available for the publication of the *Repertory of Practice of United Nations Organs*.

Outputs

8.37 During the biennium, the following final outputs will be delivered:

(a) Servicing of intergovernmental and expert bodies (regular budget):

(i) General Assembly:

a. Substantive servicing of meetings of the Sixth Committee (140);

b. Parliamentary documentation: report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 (2); report of the International Law Commission (2); report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Organization (2); report on assistance to third States affected by the application of sanctions (2); report on effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives (1); report on the *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council* (2); report on the implementation of the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (1); report on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts (1); reports of the Sixth Committee (10);

(ii) Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization:

a. Substantive servicing of meetings of the Committee and its Working Group (40);

b. Parliamentary documentation: pre-session and in-session documentation (2);

(iii) Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study and Dissemination and Wider Appreciation of International Law: substantive servicing of meetings (4);

(iv) Ad Hoc Committee on the Elaboration of Legal Instruments for the Prevention of Terrorist Acts:

a. Substantive servicing of meetings of the Committee and its Working Group (40);

b. Parliamentary documentation: pre-session and in-session documentation (2);

(v) Ad Hoc Committee on Criminal Accountability of United Nations Officials and Experts on Mission:

a. Substantive servicing of meetings of the Committee and its Working Group (20);

b. Parliamentary documentation: pre-session, in-session and post-session documentation (92);

(vi) International Law Commission:

a. Substantive servicing of meetings of the Commission, its Drafting Committee, Planning Group and working groups (182);

b. Parliamentary documentation: in-session documentation (2); report on the effects of armed conflicts on treaties (2); report on the expulsion of aliens (2); report on reservations to treaties (2); report on the responsibility of international

organizations (2); report on shared natural resources (2); report on the obligation to extradite or prosecute (2); topical summary (2);

c. Assistance to representatives and rapporteurs: assistance to the Special Rapporteur of the International Law Commission on the effects of armed conflicts on treaties; assistance to the Special Rapporteur of the International Law Commission on the expulsion of aliens; assistance to the Special Rapporteur of the International Law Commission on reservations to treaties; assistance to the Special Rapporteur of the International Law Commission on the responsibility of international organizations; assistance to the Special Rapporteur of the International Law Commission on shared natural resources;

(b) Other substantive activities (regular budget):

(i) Recurrent publications: *Legislative Series* (General Assembly resolution 174 (II)), volumes 25 and 26; *Repertory of Practice of United Nations Organs*, volume I, Supplements 7, 8 and 9, volume II, Supplements 8 and 9, and volume V, Supplement 9; *Reports of International Arbitral Awards*, volumes XXVI, XXVII, XXIX and XXX; *United Nations Juridical Yearbook* 2006 and 2007; *Yearbook of the International Law Commission* 2006 and 2007, vol. I, vol. II, part I, and vol. II, part II;

(ii) Non-recurrent publications: *The Work of the International Law Commission*, seventh edition (1);

(iii) Promotion of legal instruments: coordination of the preparation of the *Repertory of Practice of United Nations Organs*; website: Codification of International Law; website: International Law Commission; website: Sixth Committee;

(iv) Seminars for outside users: lectures/briefings on subjects of international public law of direct relevance to the subprogramme for outside users (2);

(c) Technical cooperation (regular/extrabudgetary budget):

(i) Advisory services: cooperation with regional bodies dealing with issues of progressive development of international law and its codification; participation in experts meetings to which the United Nations is invited as an observer;

(ii) Training courses, seminars and workshops: courses and seminars (fellowships) under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law; International Law Seminar.

Table 8.16 Resource requirements: subprogramme 3

	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Post	5 539.1	5 723.1	21	22
Non-post	679.9	661.9	—	—
Subtotal	**6 219.0**	**6 385.0**	**21**	**22**
Extrabudgetary	125.0	187.0	—	—
Total	**6 344.0**	**6 572.0**	**21**	**22**

8.38 The amount of $6,385,000 provides for 22 posts and various non-post items. The increase in post costs ($184,000) reflects the redeployment of an Editorial and Desktop Publishing Assistant (General Service (Principal level)) from the Treaty Section to assist in the electronic dissemination of the *Reports of International Arbitral Awards*. The decrease in non-post items ($18,000) relates to contractual services and is attributable to a reduction in external printing owing to the progress made in the conversion of publications into electronic versions.

Subprogramme 4
Law of the sea and ocean affairs

Resource requirements (before recosting): $7,691,500

8.39 The subprogramme will be implemented by the Division for Ocean Affairs and the Law of the Sea. Its responsibilities include ensuring consistency of the instruments and programmes in their respective areas of competence inside the Organization, as well as among external agencies, with the United Nations Convention on the Law of the Sea.

Table 8.17 **Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures**

Objective of the Organization: To strengthen the rule of law for the oceans.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Increased capacity of Member States and intergovernmental organizations for the uniform and consistent application of the United Nations Convention on the Law of the Sea and related agreements	(a) (i) Increased number of States parties able to fulfil their obligations under the Convention and related agreements *Performance measures* 2004-2005: 417 States Estimate 2006-2007: 457 States Target 2008-2009: 464 States (ii) Increased participation of States in the United Nations Convention on the Law of the Sea and related agreements *Performance measures* 2004-2005: 327 States Estimate 2006-2007: 350 States Target 2008-2009: 357 States
(b) Increased opportunities for States to derive benefits from the oceans and seas in conformity with the United Nations Convention on the Law of the Sea and related agreements	(b) (i) Increased number of submissions to the Commission on the Limits of the Continental Shelf

Performance measures

2004-2005: 4 submissions

Estimate 2006-2007: 15 submissions

Target 2008-2009: 20 submissions

(ii) The expeditious examination of submissions to the Commission on the Limits of the Continental Shelf by increased utilization of technical facilities provided by the Division

Performance measures

(Number of meeting days with availability of technical facilities provided by the Division)

2004-2005: 44 days

Estimate 2006-2007: 116 days

Target 2008-2009: 127 days

(iii) Increased number of activities aimed at improving the sustainable uses of the oceans and seas, the equitable and efficient utilization of their resources, the conservation of their living resources and the study, protection and preservation of the marine environment

Performance measures

2004-2005: 17 activities

Estimate 2006-2007: 19 activities

Target 2008-2009: 21 activities

(iv) Increased cooperation relating to the conservation and sustainable use of marine living resources and, in particular, biodiversity, in areas beyond national jurisdiction

Performance measures

(Number of activities undertaken to increase cooperation)

2004-2005: 30 activities

Estimate 2006-2007: 36 activities

	Target 2008-2009: 37 activities
(c) Increased cooperation of intergovernmental organizations in the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea	(c) (i) Increased number of substantive contributions made by intergovernmental organizations to the Secretary-General's annual reports to the General Assembly on oceans and the law of the sea, including special reports *Performance measures* 2004-2005: 67 contributions Estimate 2006-2007: 69 contributions Target 2008-2009: 70 contributions (ii) Active participation of intergovernmental and non-governmental organizations in the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea and other relevant processes *Performance measures* 2004-2005: 93 participants Estimate 2006-2007: 99 participants Target 2008-2009: 102 participants
(d) Increased cooperation between intergovernmental organizations and the Division for Ocean Affairs and the Law of the Sea in the coordination on oceans-related issues	(d) Increased activities carried out jointly between the Division for Ocean Affairs and the Law of the Sea and other relevant organizations, including requests for assistance *Performance measures* 2004-2005: 27 joint activities Estimate 2006-2007: 28 joint activities Target 2008-2009: 29 joint activities

External factors

8.40 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) The marine sector is accorded due priority in national plans, programmes and projects;

(b) Programmes and resources are available to national authorities to adopt/adapt and implement legal instruments in the field of the law of the sea and ocean affairs;

(c) Intergovernmental bodies have programmes and resources to execute the required coordination and to provide the necessary input to insure better governance of the oceans.

Outputs

8.41 During the biennium 2008-2009, the following final outputs will be delivered:

(a) Servicing of intergovernmental and expert bodies (regular budget):

(i) Meeting of the States Parties to the Convention on the Law of the Sea:

a. Substantive servicing of meetings: plenary (30);

b. Parliamentary documentation: annual report of the International Tribunal for the Law of the Sea for 2007 and 2008; as required by article 319 of the Convention, annual reports on issues of a general nature that have arisen with respect to the Convention, the work of the Commission on the Limits of the Continental Shelf and priority topics selected by the States (4); background papers and conference room papers, as mandated (4); report of the Meeting of States Parties on its eighteenth and nineteenth sessions;

(ii) General Assembly:

a. Substantive servicing of meetings (40);

b. Parliamentary documentation: annual report on developments pertaining to the implementation of the United Nations Convention on the Law of the Sea and other developments and emerging issues relating to ocean affairs and the law of the sea (2); report on implementation of the Agreement for the Implementation of the Provisions of the Convention on the Law of the Sea (10 December 1982) relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks; report on the state of the global marine environment (2); report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (2); specific topics of current interest; sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments;

(iii) Open-ended Informal Consultative Process on Oceans and the Law of the Sea:

a. Substantive servicing of meetings: plenary and working groups (40);

b. Parliamentary documentation: background papers and conference room papers, as mandated (4); priority topics selected by the consultative process (4);

(iv) Commission on the Limits of the Continental Shelf:

a. Substantive servicing of meetings: plenary and working groups (132);

b. Parliamentary documentation: background papers and conference room papers, as mandated (8); priority topics selected by the Commission (4);

c. Ad hoc expert groups: Aquatic Sciences and Fisheries Abstracts Advisory Board: plenary (2);

(b) Other substantive activities (regular budget):

(i) Recurrent publications: *Bibliography of the Law of the Sea* (2); *Law of the Sea Bulletin* (6); *Practice of States* (2);

(ii) Booklets, fact sheets, wallcharts, information kits: abstracts for the inter-agency monthly publication, *Aquatic Sciences and Fisheries Abstracts* (6); law of the sea information circular (4); newsletter on current developments in the law of the sea and ocean affairs (6); special studies/reviews, in cooperation with competent international organizations, as required, on selected emerging issues and persistent problems related to the law of the sea and ocean affairs;

(iii) Press releases, press conferences: meetings of States Parties to the United Nations Convention on the Law of the Sea, meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, sessions of the Commission on the Limits of the Continental Shelf;

(iv) Technical material: Internet websites on the Commission on the Limits of the Continental Shelf, the law of the sea and ocean affairs, and the train-sea-coast programme; maintenance and further development of the facilities for the deposit by States of charts and geographical coordinates concerning baselines and limits of national maritime zones and of the system for their recording;

(v) Promotion of legal instruments: promotion of the universal acceptance of the Convention and the related agreements, their uniform and consistent application and their effective implementation;

(c) Technical cooperation (regular/extrabudgetary):

(i) Advisory services:

a. On harmonizing national legislation with the provisions of the Convention and the drafting of rules and regulations to implement such legislation;

b. On issues related to the full realization of benefits by States under the Convention, including economic, technological, scientific and environmental issues;

c. On issues related to the ratification of the Convention and the related agreements, their uniform and consistent application and effective implementation, including the impact of the entry into force of the Convention;

(ii) Training courses, seminars and workshops:

a. Operation and further development of the training programme on the law of the sea and ocean affairs, including train-sea-coast (with support from UNDP):

i. Assistance in strengthening national training institutions;

ii. Further development of a menu of training courses;

iii. Training of a cadre of course developers;

b. Organization of seminars/workshops related to the law of the sea and ocean affairs;

c. Regular and ad hoc briefings on the law of the sea;

(iii) Fellowships and grants: annual award of the Hamilton Shirley Amerasinghe Memorial Fellowship and supervision of the fellowship recipient through the operation of the

fellowship programme; annual award of the United Nations/Nippon Foundation scholarships and supervision of recipients through the operation of the capacity-building training;

(iv) Field projects: project support in cooperation with funding agencies and in joint activities with other international organizations and institutions, where appropriate;

(d) Conference services, administration, oversight (regular budget). Library services: provision of library services through the maintenance and development of the specialized reference collection and bibliographic database on the law of the sea and ocean affairs.

Table 8.18 **Resource requirements: subprogramme 4**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Post	7 195.7	7 195.7	28	28
Non-post	502.8	495.8	—	—
Subtotal	**7 698.5**	**7 691.5**	**28**	**28**
Extrabudgetary	609.0	838.0	—	—
Total	**8 307.5**	**8 529.5**	**28**	**28**

8.42 The amount of $7,691,500 provides for the continuation of 18 posts in the Professional and above category and 10 General Service posts, and non-post items such as other staff costs, consultants and experts, travel of staff, supplies and furniture and equipment. A small decrease of $7,000 is based on the pattern of expenditure in the current biennium.

Subprogramme 5
Progressive harmonization, modernization and unification of the law of international trade

Resource requirements: $5,963,100

8.43 The subprogramme is implemented by the International Trade Law Division, which acts as the secretariat of UNCITRAL. It provides substantive and administrative support to UNCITRAL and its intergovernmental working groups by preparing studies, draft texts and other preparatory work for the development of legal texts and coordination of work of other international organizations formulating rules on international trade. It also provides technical assistance to Governments and international organizations using UNCITRAL texts in their legislative work.

Table 8.19 Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures

Objective of the Organization: To facilitate and encourage the progressive improvement, harmonization, understanding, knowledge and application of international trade law and coordination of the work of international organizations active in that field.

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Contributions to the modernization of trade law and practices and reduction of legal uncertainties and obstacles posed by inadequate and disparate laws	(a) (i) Increased number of legislative decisions (ratifications and national enactments) based on UNCITRAL texts *Performance measures* 2004-2005: 37 additional treaty actions and national enactments Estimate 2006-2007: 40 additional treaty actions and national enactments Target 2008-2009: 40 additional treaty actions and national enactments (ii) Increased number of judicial decisions based on UNCITRAL texts *Performance measures* 2004-2005: 83 additional judicial and arbitral decisions collected in the Case Law on UNCITRAL texts (CLOUT) database Estimate 2006-2007: 85 additional judicial and arbitral decisions collected in the CLOUT database Target 2008-2009: 85 additional judicial and arbitral decisions collected in the CLOUT database
(b) Contributions to increased understanding of international trade law issues and reliance on UNCITRAL standards	(b) (i) Increased number of publications or databases referring to the work and mentioning texts of UNCITRAL *Performance measures* 2004-2005: 513 additional publications collected in the UNCITRAL bibliography Estimate 2006-2007: 540 additional publications collected in the UNCITRAL bibliography

	Target 2008-2009: 560 additional publications collected in the UNCITRAL bibliography (ii) Increased number of page views on the UNCITRAL website *Performance measures* 2004-2005: 1,700 page views per day Estimate 2006-2007: 1,800 page views per day Target 2008-2009: 1,900 page views per day
(c) Improved coordination and cooperation among international organizations active in the field of international trade law	(c) Increased number of joint activities that incorporate reference to UNCITRAL trade law standards *Performance measures* 2004-2005: 63 joint activities Estimate 2006-2007: 70 joint activities Target 2008-2009: 75 joint activities
(d) Facilitating the work of UNCITRAL	(d) Satisfaction of UNCITRAL with the services provided *Performance measures* 2004-2005: 4 rating (scale 1-5) Estimate 2006-2007: 4 rating (scale 1-5) Target 2008-2009: 4 rating (scale 1-5)

External factors

8.44 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) Member States will commit to adhere to conventions on international trade law, enact model laws and report on such legislative actions;

(b) National correspondents will report on court and arbitral tribunal activities at the national level;

(c) International organizations will cooperate in the coordination process and organization of joint activities.

Outputs

8.45 During the biennium, the following final outputs will be delivered:

(a) Servicing of intergovernmental and expert bodies (regular budget):

(i) United Nations Commission on International Trade Law:

a. Substantive servicing of meetings: presentation of substantive reports prepared by the Division, responses to requests for clarification, procedural and substantive advice to the Chair and preparation of the draft report (2); presentation of the annual report of the Commission (2);

b. Parliamentary documentation: *Official Records of the General Assembly* (2); reports by six intergovernmental working groups, substantive reports requested by the Commission, several substantive recurrent reports and substantive conference room papers (50);

(ii) UNCITRAL Working Groups I-VI:

a. Substantive servicing of meetings: presentation of substantive reports prepared by the Division, responses to requests for clarification, procedural and substantive advice to the Chair and preparation of the draft report (24);

b. Parliamentary documentation: reports prepared in response to the request of the working group and substantive conference room papers (216);

(iii) Ad hoc expert groups: discussion of draft reports and statutory texts prepared by the Division for submission to the Commission and its working groups (12);

(b) Other substantive activities (regular budget):

(i) Recurrent publications: *Yearbook of the United Nations Commission on International Trade Law*, volumes XXXVII, 2006, XXXVIII, 2007 and XXXIX, 2008;

(ii) Non-recurrent publications: booklet on a revised *UNCITRAL Model Law on International Commercial Arbitration, with Guide to Enactment*; booklet on the United Nations Convention on the Carriage of Goods (by sea), with commentary; booklet on the *Revised UNCITRAL Arbitration Rules*; booklet on the *United Nations Convention on the Assignment of Receivables in International Trade*, with commentary; *UNCITRAL Legislative Guide on Secured Transactions*;

(iii) Exhibits, guided tours, lectures: lectures to groups of practitioners, academics and law students in Vienna and elsewhere as part of programmes organized by other professional, academic, non-governmental or intergovernmental organizations (15);

(iv) Special events: participation as co-organizers and moderators in the annual "Willem C. Vis International Commercial Arbitration Moot" in Vienna;

(v) Technical material: maintenance of a searchable Internet database of court and arbitral decisions collected under the CLOUT system; maintenance of the system for collecting court and arbitral decisions on Commission texts; publication of abstracts of decisions and monitoring developments and trends;

(c) Technical cooperation (extrabudgetary): advisory services at the request of Governments in the form of briefing missions, seminars, law reform assessments, assistance with drafting of national legislation based on UNCITRAL texts and advice on the use of non-legislative Commission texts;

(d) Conference services, administration, oversight (regular budget): provision of library services; acquisition for and servicing of the UNCITRAL Law Library; maintenance of the UNCITRAL website.

Table 8.20 **Resource requirements: subprogramme 5**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Post	5 236.6	5 236.6	21	21
Non-post	726.7	726.5	—	—
Subtotal	**5 963.3**	**5 963.1**	**21**	**21**
Extrabudgetary	165.0	184.0	—	—
Total	**6 128.3**	**6 147.1**	**21**	**21**

8.46 The amount of $5,963,100, with a minor decrease of $200, provides for the continuation of 14 posts in the Professional and above category and 7 General Service posts, and non-post resources for consultants and experts, travel of staff, maintenance of office automation equipment, supplies, and furniture and equipment.

Subprogramme 6
Custody, registration and publication of treaties

Resource requirements (before recosting): $6,504,700

8.47 The subprogramme will be implemented by the Treaty Section in compliance with the requirements of Article 102 of the Charter of the United Nations and the depositary responsibilities of the Secretary-General with the goal of promoting the international rule of law.

Table 8.21 **Objectives for the biennium, expected accomplishments, indicators of achievement and performance measures**

Objective of the Organization: To facilitate wider awareness of international treaties concluded under the auspices of the United Nations, treaties deposited with the Secretary-General and treaties registered with the Secretariat under Article 102 of the Charter, and actions relating to those treaties.

Expected accomplishments of the Secretariat	**Indicators of achievement**
(a) Improved access to international treaties deposited with the Secretary-General and related treaty actions, including information on their status, and to treaties and related actions submitted for registration and publication with the Secretariat	(a) (i) Timely provision of substantive and procedural depositary-related advice and guidance on treaties to be deposited with the Secretary-General

Performance measures

2004-2005: 7 treaties successfully deposited

Estimate 2006-2007: 10 treaties successfully deposited

Target 2008-2009: 10 treaties successfully deposited

(ii) Timely processing of treaty actions and formalities relating to treaties deposited with the Secretary-General

Performance measures

2004-2005: within 1 day

Estimate 2006-2007: within 1 day

Target 2008-2009: within 1 day

(iii) Timely processing of treaties and actions submitted for registration and publication

Performance measures

2004-2005: all treaties and actions received in a given month registered by the first week of the following month

Estimate 2006-2007: all such treaties and actions received in a given month registered by the first week of the following month

Target 2008-2009: all such treaties and actions received in a given month registered by the first week of the following month

(iv) Increased number of page views on the Treaty Section website

Performance measures

2004-2005: 120,000 page views per month

Estimate 2006-2007: 150,000 page views per month

Target 2008-2009: 300,000 page views per month

(b) Promotion of broader State participation in the multilateral treaty framework	**(b)**	**(i) Increased number of treaty actions (e.g. ratifications and accessions) received for deposit with the Secretary-General** ***Performance measures*** **2004-2005: 3,000 instruments submitted by States** **Estimate 2006-2007: 3,100 instruments submitted by States** **Target 2008-2009: 3,200 instruments submitted by States** **(ii) Increased participation by Member States in the international treaty framework** ***Performance measures*** **2004-2005: zero per cent** **Estimate 2006-2007: 5 per cent** **Target 2008-2009: 10 per cent**
(c) Enhanced familiarity with and understanding by Member States of the technical and legal aspects of participating in the multilateral treaty framework and registering treaties with the Secretariat	**(c)**	**(i) Increased number of treaty actions submitted for deposit in the proper format** ***Performance measures*** **2004-2005: 75 per cent correct submissions** **Estimate 2006-2007: 75 per cent correct submissions** **Target 2008-2009: 90 per cent correct submissions** **(ii) Increased number of treaties and actions submitted for registration and publication in the proper form, pursuant to Article 102 of the Charter** ***Performance measures*** **2004-2005: 75 per cent correct submissions** **Estimate 2006-2007: 80 per cent correct submissions** **Target 2008-2009: 85 per cent correct submissions**

(d) Increased respect for the international treaty framework	(d) (i) Increased requests for depositary and registration-related information and advice from States, other United Nations offices, specialized agencies and treaty bodies *Performance measures* 2004-2005: 1,200 requests Estimate 2006-2007: 1,300 requests Target 2008-2009: 1,500 requests (ii) Increased number of participants in training seminars or ad hoc training sessions provided by the Treaty Section at Headquarters and in the regions *Performance measures* 2004-2005: 300 participants trained Estimate 2006-2007: 350 participants trained Target 2008-2009: 400 participants trained

External factors

8.48 The subprogramme is expected to achieve its objectives and expected accomplishments on the assumption that:

(a) Member States request legal and technical assistance before concluding treaties, in particular with reference to final clauses of treaties, and before submitting treaties for registration, thus avoiding delays and potential problems;

(b) Member States increasingly provide materials in electronic format to facilitate registration and publication and provide courtesy translation for treaties submitted in languages other than the official languages of the United Nations.

Outputs

8.49 During the biennium 2008-2009, the following final outputs will be delivered:

(a) Other substantive activities (regular budget):

(i) Recurrent publications: bilingual issues (English/French) of the monthly *Statement of Treaties and International Agreements Registered or Filed and Recorded with the Secretariat* (ST/LEG/SER.A...); *Multilateral Treaties Deposited with the Secretary-General*, status as at 31 December 2007 (ST/LEG/SER.E/26) and status as at 31 December 2008 (ST/LEG/SER.E/27); preparation of two internally compiled and typeset volumes of the United Nations *Treaty Series Cumulative Index* in conjunction with the United Nations *Treaty Series*; publication of the United Nations *Treaty Series*; *Treaty Event Annual Focus Book*;

(ii) Non-recurrent publications: Update of the *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties, Treaty Handbook and Handbook of Final Clauses*;

(iii) Technical material: *Cumulative Index* produced automatically from the new database; addition of editorial material (Article 102 of the Charter); updated information on treaties through the electronic media, including the Internet (Article 102 of the Charter); legal technical assistance web page and the interdepartmental and inter-agency directory of legal technical assistance and its links to other web pages; maintenance, on a daily basis, of a comprehensive database of all depositary actions; printed volumes of the United Nations *Treaty Series* for dissemination on the electronic medium, including on the Internet; publication of the United Nations *Treaty Series* internally;

(iv) Promotion of legal instruments: custody of over 500 multilateral treaties and related instruments for which the Secretary-General performs depositary functions in accordance with relevant final clauses; depositary notifications concerning multilateral treaties deposited with the Secretary-General; establishment of certified true copies of multilateral treaties for Governments and intergovernmental organizations; papers and other material for delivery at public gatherings (general legal advice and services); notifications to Member States and/or participating Governments and international organizations of approximately 3,600 formalities for the biennium consisting of approximately 2,700 actions (signatures, ratifications, accessions, successions, acceptances); information on the status of multilateral treaties of international organizations, Governments, the Secretariat, United Nations bodies and other entities; information on the status of registered instruments to Member States, intergovernmental organizations, the Secretariat, United Nations bodies and other entities (Article 102 of the Charter); legal advice on all aspects of treaty law and depositary, registration and publication practice to Governments, intergovernmental organizations, units of the Secretariat and other entities; rectification of instruments as required; registration and processing of some 2,000 treaties, including legal analysis and related subsequent actions;

(b) Technical cooperation (regular budget/extrabudgetary):

(i) Advisory services: provision of legal advice on all aspects of treaty law and depositary, registration and publication practice to Governments, intergovernmental organizations, units of the Secretariat and other entities;

(ii) Training courses, seminars and workshops: training seminars (at Headquarters and in regions) on depositary, registration and publication practice organized for permanent missions and legal advisers from foreign ministries and from United Nations and other related organizations.

Table 8.22 **Resource requirements: subprogramme 6**

	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Post	6 058.9	5 674.5	29	27
Non-post	1 216.1	830.2	—	—
Subtotal	**7 275.0**	**6 504.7**	**29**	**27**
Extrabudgetary	—	—	—	—
Total	**7 275.0**	**6 504.7**	**29**	**27**

8.50 The amount of $6,504,700, reflecting a decrease of $770,300, provides resources for 27 posts and various non-post items. The decrease in post resources ($384,400) is attributable to (a) the redeployment of a P-4 post from the Treaty Section for an Administrative Officer in the Executive Office to augment the administrative capacity of the Office; (b) the redeployment of an Editorial and Desktop Publishing Assistant (General Service (Principal level)) from the Treaty Section to the Codification Division to assist in the electronic dissemination of the Reports of International Arbitral Awards; and (c) the redeployment of a General Service staff member (Other level) as a Staff Assistant to the proposed Office of the Under-Secretary-General, partially offset by an inward redeployment of a P-3 post from the Executive Office to the Treaty Section as an Information Technology Officer to support its desktop and web publishing activities and assist in data analysis and programming. The Treaty Section is currently upgrading its database system with a view to enhancing desktop publishing capabilities for all of the Section's publications (United Nations *Treaty Series*, *Cumulative Index*, monthly *Statement of Treaties*, *Multilateral Treaties Deposited with the Secretary-General* and other publications) as well as enhancing reporting capabilities on treaty data for the clients of the Treaty Section. As the database has become much more sophisticated and complex, a P-3 Information Technology Officer is vital for the proper maintenance and support of the system. Owing to the continued improvement in working methods, the outward redeployment of posts described above would not have any major impact on the Treaty Section. The decrease in non-post resources of $385,900 is attributable mainly to the continued reduction of the printing backlog in the Treaty Section.

D. Programme support

Resource requirements (before recosting): $2,003,500

8.51 The Executive Office provides services to the Office of Legal Affairs in connection with personnel, budgetary and financial administration, resource planning and use of common services, together with administrative support for policymaking organs and other international meetings, as required.

Table 8.23 **Resource requirements: Programme support**

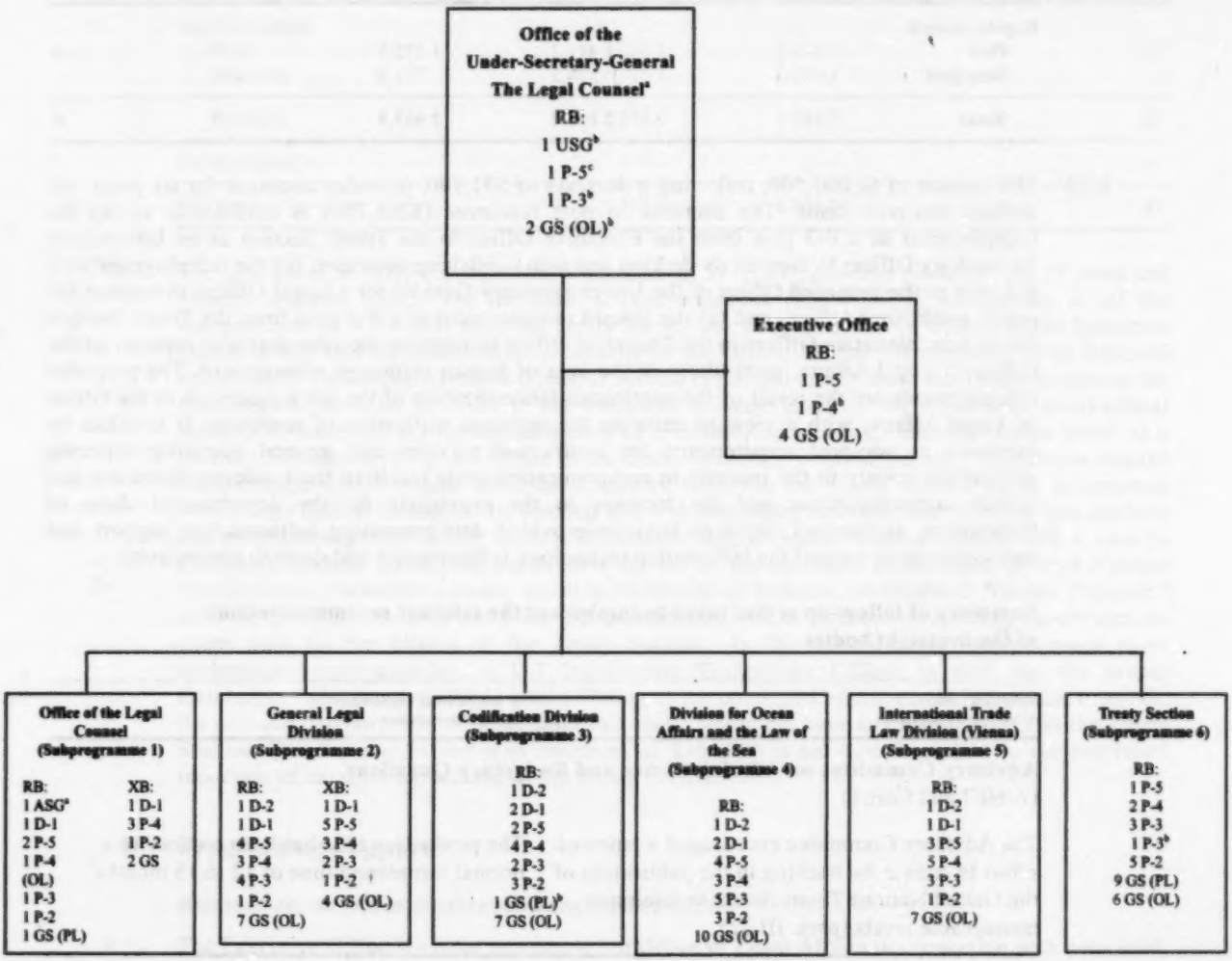
	Resources (thousands of United States dollars)		*Posts*	
Category	*2006-2007*	*2008-2009 (before recosting)*	*2006-2007*	*2008-2009*
Regular budget				
Post	1 481.2	1 272.5	7	6
Non-post	574.2	731.0	—	—
Total	**2 055.4**	**2 003.5**	**7**	**6**

8.52 The amount of $2,003,500, reflecting a decrease of $51,900, provides resources for six posts and various non-post items. The decrease in post resources ($208,700) is attributable to (a) the redeployment of a P-3 post from the Executive Office to the Treaty Section as an Information Technology Officer to support its desktop and web publishing activities; (b) the redeployment of a P-3 post to the proposed Office of the Under-Secretary-General for a Legal Officer to support the newly established Office; and (c) the inward redeployment of a P-4 post from the Treaty Section for an Administrative Officer in the Executive Office to augment the administrative capacity of the Office of Legal Affairs, particularly in the area of human resources management. The proposed redeployments are the result of the continuous rationalization of the work processes in the Office of Legal Affairs, with a view to ensuring the optimum utilization of resources. It is offset by increases in non-post requirements for contractual services and general operating expenses attributable mainly to the increase in communication costs resulting from videoconferencing and mobile communications and the increase in the provisions for the departmental share of Information Technology Services Division-provided data-processing infrastructure support and services costs to support the information technology infrastructure and desktop connectivity.

Summary of follow-up action taken to implement the relevant recommendations of the oversight bodies

Brief description of the recommendation	*Action taken to implement the recommendation*
Advisory Committee on Administrative and Budgetary Questions (A/60/7 and Corr.1)	
The Advisory Committee encouraged a renewed effort to reduce the backlog in the publication of the United Nations *Treaty Series* to minimum manageable levels (para. III.22).	The production time has been reduced to a normal turnaround time of 12 to 15 months.

Office of Legal Affairs
Proposed organizational structure and post distribution for the biennium 2008-2009


Office of the Under-Secretary-General The Legal Counsel[a]
RB:
1 USG[b]
1 P-5[c]
1 P-3[b]
2 GS (OL)[b]
Executive Office
RB:
1 P-5
1 P-4[b]
4 GS (OL)
Office of the Legal Counsel (Subprogramme 1)
RB: 1 ASG[a], 1 D-1, 2 P-5, 1 P-4, (OL), 1 P-3, 1 P-2, 1 GS (PL)
XB: 1 D-1, 3 P-4, 1 P-2, 2 GS
General Legal Division (Subprogramme 2)
RB: 1 D-2, 1 D-1, 4 P-5, 3 P-4, 4 P-3, 1 P-2, 7 GS (OL)
XB: 1 D-1, 5 P-5, 3 P-4, 2 P-3, 1 P-2, 4 GS (OL)
Codification Division (Subprogramme 3)
RB: 1 D-2, 2 D-1, 2 P-5, 4 P-4, 2 P-3, 3 P-2, 1 GS (PL)[b], 7 GS (OL)
Division for Ocean Affairs and the Law of the Sea (Subprogramme 4)
RB: 1 D-2, 2 D-1, 4 P-5, 3 P-4, 5 P-3, 3 P-2, 10 GS (OL)
International Trade Law Division (Vienna) (Subprogramme 5)
RB: 1 D-2, 1 D-1, 3 P-5, 5 P-4, 3 P-3, 1 P-2, 7 GS (OL)
Treaty Section (Subprogramme 6)
RB: 1 P-5, 2 P-4, 3 P-3, 1 P-3[b], 5 P-2, 9 GS (PL), 6 GS (OL)

Abbreviations: RB, regular budget; XB, extrabudgetary; GS (PL), General Service (Principal level); GS (OL), General Service (Other level).

[a] Deputy to the Under-Secretary-General and Head of the Office of the Legal Counsel.

[b] Proposed inward redeployment.

[c] New post.

Annex

Outputs produced in 2006-2007 not to be carried out in the biennium 2008-2009

Legal affairs

A/60/6, paragraph	*Output*	*Quantity*	*Reason for discontinuation*
Progressive development and codification of international law			
8.38 (a) (i) (b)	Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel, and its working group	1	Committee discontinued
8.38 (a) (i) (b)	Report of the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel	1	Committee discontinued
8.38 (a) (vi) (b)	Report on liability for acts not prohibited by international law	1	Completed
8.38 (b) (iii)	Audio-visual library on international law	1	Function transferred to the Dag Hammarskjöld Library
Law of the sea and ocean affairs			
8.43	Biennial report of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection	1	After an intersecretariat meeting on the Joint Group of Experts (GESAMP) held in Monaco in February 2004 (attended by the Division for Ocean Affairs and the Law of the Sea), work on GESAMP by the secretariats was conducted by mail, e-mail and telephone. Consequently, there was no need for a report
	Total	**5**	